
HOUSE BILL 1964

State of Washington

66th Legislature

2019 Regular Session

By Representatives Corry, Blake, Ybarra, Mosbrucker, Harris,
McCaslin, Barkis, and Gildon

1 AN ACT Relating to requiring the written consent of a lessee
2 before the department of natural resources may terminate a lease for
3 reasons other than default; and amending RCW 79.13.420.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 79.13.420 and 2017 c 56 s 1 are each amended to read
6 as follows:

7 (1) For the purposes of this section, "nondefault or early
8 termination provision" means a provision that authorizes the
9 department to terminate a lease in the event the department includes
10 the leased land in a plan for higher and better use, land exchange,
11 or sale.

12 (2) Any nondefault or early termination provision included in a
13 state land lease for agricultural or grazing purposes must:

14 (a) Require advance written notice of at least one hundred eighty
15 days by the department to the lessee prior to termination of the
16 lease; and

17 (b) Require the department to provide to the lessee, along with
18 the notice under (a) of this subsection, written documentation
19 demonstrating that the department has included the leased land in a
20 plan for higher and better use, land exchange, or sale.

1 (3) This section does not require the department to include a
2 nondefault or early termination provision in any state land lease for
3 agricultural or grazing purposes.

4 (4) This section does not prohibit the department from allowing
5 the lessee to surrender the leasehold subject to terms provided in
6 the lease.

7 (5) This section does not prohibit the department from executing
8 other lease provisions designed to protect the interests of the
9 lessee in the event that the lease is terminated under a nondefault
10 or early termination provision.

11 (6) The department may not early terminate a lease, other than
12 for default, without the written consent of the lessee.

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